

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13466 of 2025

Arising Out of PS. Case No.-400 Year-2024 Thana- NADI P.S. District- Patna

Chintu Kumar @ Siddarth Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar
For the Opposite Party/s : Mr. Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-02-2025 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of regular bail arises out of Nadi Police Station Case No. 400 of 2024, dated 18.12.2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as 'the Act').
3. The prosecution case, as per the First Information Report, is that the police, upon information on 18.12.2024, reached Gadhochak Railway line and saw that two persons were coming from railway line. On seeing, the police party, the persons started fleeing away after throwing their bags in the field and succeeded in it. Upon search, the police recovered 46.470 liters of foreign



illicit liquor from the bags.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in the present case on mere suspicion. The petitioner was arrested later and not from the the place of occurrence. He next submits that illicit liquor has not been recovered from the conscious possession of the petitioner and/or from the premises belonging to him. Rather, illicit liquor has been recovered from an open field near railway line, which is open space accessible to all and sundry. The petitioner has got no criminal antecedent and he is in custody since 25.01.2025.
5. Regards being had to the submission made by the parties and taking into consideration the fact that the petitioner is in custody since 25.01.2025, he has got no criminal antecedent and illicit liquor has not been recovered from the conscious possession of the petitioner, rather, the same has been recovered from an field near railway line, which is open space accessible to all and sundry, I am inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, allowed.
7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Special Judge Excise, Patna City, Patna, in connection to the Nadi Police Station Case No. 400 of 2024.

(Anil Kumar Sinha, J)

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